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November 23, 2005

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SC PUBLIC SERVICE
COMMISSION

Mr. Charles Terreni
Chief Clerk of the Commission
Public Service Commission of South Carolina
Post Office Drawer 11649
Columbia, South Carolina 29211

Re: Petition to Establish Generic Docket to Consider Amendments to
Interconnection Agreements Resulting From Changes of Law
Docket No.: 2004-316-C

Dear Mr. Terreni:

The letter the Office of Regulatory Staff submitted in this docket on November 18, 2005 addresses certain issues related to unbundled network elements ("UNEs") that have been "delisted" as a result of various FCC Orders. *See* Letter at 1. In BellSouth's view, these are Issues 8, 14, 17, 18 and 22 in this Docket (collectively, the "271-Related Issues"). As the ORS notes in its Letter, most state Commissions that have addressed the matter have held, and courts have agreed, that the FCC has asserted exclusive jurisdiction over disputes regarding these issues. *Id.* at 2. BellSouth, therefore, agrees with the ORS' recommendation that the Commission rule accordingly. In BellSouth's view, a contrary ruling would not withstand judicial review.

BellSouth further believes that the marketplace will fully protect the public interest of the state of South Carolina with regard to the 271-Related Issues. Having said that, BellSouth has carefully reviewed and considered the procedures the ORS has asked the Commission to consider incorporating in its Order in this docket. *See Id.* at 2-3. As a result, BellSouth respectfully informs the Commission that it would not object to the Commission's resolving the 271-Related Issues in this docket by adopting BellSouth's proposed language on each of those issues (which is based on the FCC's having asserted exclusive jurisdiction over those issues) and also adopting the procedures recommended

Mr. Charles Terreni
November 23, 2005
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by the ORS in its Letter. BellSouth, of course, reserves the right to address the appropriateness of any recommendation the ORS may make pursuant to those procedures.

Sincerely,

A handwritten signature in black ink that reads "Patrick W. Turner". The signature is written in a cursive style with a large, sweeping initial "P" and a long, horizontal flourish extending to the right.

Patrick W. Turner

PWT/nml
cc: All Parties of Record
DM5 #611267

STATE OF SOUTH CAROLINA

)

)

CERTIFICATE OF SERVICE

COUNTY OF RICHLAND

)

The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, Inc. ("BellSouth") and that she has caused BellSouth Telecommunications, Inc.'s Letter Dated November 23, 2005 in Docket No. 2004-316-C to be served upon the following this November 23, 2005.

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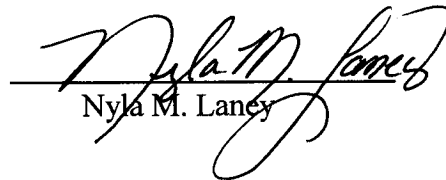
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